

Applicant : Jay M. Short et al.
Serial No. : 09/580,515
Filed : May 25, 2000
Page : 4

Attorney's Docket No.: 09010-029005

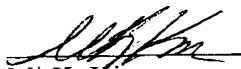
REMARKS

Applicants, in the present reply, amend claim 18 to remove an error. Applicants amend claims 46, 52, 53, 62, 68, 69, 73-75, and 77-79 so that the terms "foodstuff" and "animal feed" are consistently applied as well as changing certain dependencies. Applicants submit that no new matter has been introduced by the instant supplemental reply.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant asks that all claims be allowed. Applicants have authorized for the Commissioner to draft the deposit account for the extension of time fee. Applicants believe that no other fees are necessitated by the instant reply. The Commissioner, however, is authorized to apply any other charges or credits associated with this reply to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 1/25/2003
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Applicant : Jay M. Short et al.
Serial No. : 09/580,515
Filed : May 25, 2000
Page : 5

Attorney's Docket No.: 09010-029005

Version with markings to show changes made

In the claims:

Claims 18, 46, 52, 53, 62, 68, 69, 73-75, and 77-79 have been amended as follows:

18. (Fourth Amendment) A method to produce a foodstuff containing a microbial phytase comprising:
- a) providing a plant cell, plant part or plant that contains a recombinant expression vector comprising a phytase-encoding nucleic acid having a nucleotide sequence selected from
 - i) SEQ ID NO: 1, and
 - ii) SEQ ID NO: 1, wherein T can also be U;
 - b) culturing the plant cell, plant part or plant under conditions wherein said nucleic acid is expressed as a polypeptide; and
 - c) converting said plant cells, plant parts or plants into a composition suitable for foodstuff, wherein the [[animal feed]] foodstuff contains phytate and the phytase.

46. (Amended) The method of claim 18, wherein the phytase catalyzes liberation of inorganic phosphate from the phytate in the [animal feed] foodstuff.

52. (Amended) The method of claim 18, wherein the [animal feed] foodstuff is for a non-ruminant animal.

53. (Amended) The method of claim 18, wherein the [animal feed] foodstuff is for a monogastric animal.

62. (Amended) The method of claim 56, wherein the phytase catalyzes liberation of inorganic phosphate from the phytate in the [animal feed] foodstuff.

68. (Amended) The method of claim 56, wherein the [animal feed] foodstuff is for a non-ruminant animal.

Applicant : Jay M. Short et al.
Serial No. : 09/580,515
Filed : May 25, 2000
Page : 6

Attorney's Docket No.: 09010-029005

69. (Amended) The method of claim 56, wherein the [animal feed] foodstuff is for a monogastric animal.

73. (Amended) The method of claim 46 [47], wherein the foodstuff is an animal feed.

74. (Amended) The method of claim 52 [48], wherein the foodstuff is an animal feed.

75. (Amended) The method of claim 53 [49], wherein the foodstuff is an animal feed.

77. The method of claim 62 [63], wherein the foodstuff is an animal feed.

78. The method of claim 68 [64], wherein the foodstuff is an animal feed.

79. The method of claim 69 [65], wherein the foodstuff is an animal feed.